THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO. 16935 OF 2005

Date: 21.07.2006

Between:

A. Mohan.

…. Petitioner

and

The Executive Officer, T.T.D. Tirupathi and another.

… Respondents.

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO. 16935 OF 2005

ORDER:

The short question which arises for consideration in this writ petition is as to whether the petitioner, who under the rules has crossed the maximum age limit prescribed of 34 years for being appointed to the post of Draftsmen Grade II, could be given the benefit of relaxation by the Trust Board of the Tirumala Tirupathi Devastanam (for short 'T.T.D').

Sri T. Rajendra Prasad, learned Counsel for the petitioner, would refer to several instances where the Trust board had granted such relaxation. On being asked by this Court as to whether the Trust Board of the T.T.D. had the power to grant relaxation, Sri M. Adinarayana Raju, learned Counsel for the T.T.D, on instructions, would submit that under Rule 5(1), of the Rules notified in G.O.Ms.No. 1060 dated 24.10.1989, the Trust Board of the T.T.D. had the power to grant relaxation of the qualifications prescribed including that of the age.

Since, admittedly, the T.T.D. Trust Board has the power to grant such relaxation and inasmuch as in a few other cases, such exemption was granted by the Trust Board, it is appropriate that the T.T.D. Trust Board/Specified authority considers the petitioner's case also for grant of relaxation of age for being

appointed to the post of Draftsmen Grade II.

Sri T. Rajendra Prasad, learned Counsel for the petitioner, would further submit that during the pendency of the writ petition, the petitioner was promoted as Draftsmen Grade II, and his appointment was made subject to the result of the writ petition. Be that as it may, since it is the T.T.D. Trust Board/Specified authority which is the authority, competent to grant relaxation, I deem it appropriate to permit the petitioner to submit a representation in this regard within two weeks from today, in which event the T.T.D. Trust Board/Specified Authority shall consider the said representation in its next meeting and pass appropriate orders thereon in accordance with law. Needless to state that since the petitioner has already been appointed as Draftsman Grade II, he shall be continued as such till final orders are passed by the T.T.D. Trust Board/Specified Authority in this regard.

The writ petition is disposed of accordingly. No costs.

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Dated: 21.07.2006 RAMESH RANGANATHAN, J

MRKR